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PATENT AND TRADEMARK
DIVISION

SEP 09 2004

OFFICE OF PETITIONS

"PATENTS"

2004 SEP -9 AM 10:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 2878
RUDOLF SCHWARTE) Examiner: Thanh X. Luu
SERIAL NO.: 09/254,333)
FILED: March 4, 1999) Conf. Number: 6824
FOR: METHOD AND APPARATUS)
FOR PHOTOMIXING)

Mail Stop: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CORRECTION OF FEES PAID SUBSEQUENT TO FILING

This application was filed as a large entity. While no assignment was ever filed, the individual applicant had licensed the invention to a large entity. Subsequent payments for additional claims and an extension of time were inadvertently paid in the small entity amount, without deceptive intent.

It has been recently realized that the applicant is not a small entity. The fees that were erroneously paid as a small entity are identified as follows:

09/09/2004 DALLEN 00000010 09254333

01 FC:1461

595.00 OP

2004 SEP 20 AM 10:25

Fee involved	Additional Claims	Additional Claims	Extension of Time
Small entity fee actually paid and date paid	36 1/6/2004	504 5/21/2004	55 6/25/2004
Current amount due	72	1008	110
Total deficiency owed, based on one-half of large entity fee according to current fee schedule	36	504	55
Total now due	\$595		

Submitted herewith is a Fee Transmittal form with the deficiency payment identified above.

Please charge any deficit or credit any excess to our Deposit Account No. 02-0460.

Respectfully submitted,

RUDOLF SCHWARTE

By: 
Lawrence A. Maxham
Attorney for Applicant
Registration No. 24,483

THE MAXHAM FIRM
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SAN DIEGO, CALIFORNIA 92101
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D A C \$

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/254,333

Filing Date March 4, 1999

First Named Inventor RUDOLF SCHWARTZ

Art Unit 2878

Examiner Name Thanh X. Luu

Total Number of Pages in This Submission

04

Attorney Docket Number 1184-6

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ENCLOSURES (check all that apply)

 Fee Transmittal Form Fee Attached Amendment / Response After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s) After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please identify below):

1. Correction of Fees Paid
2. Return Postcard
3. Check for \$595

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

The Maxham Firm
Lawrence A. Maxham, Reg. No. 24,483

Signature

Date

3 September 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: 3 September 2004

Typed or printed name Lawrence A. Maxham, Reg. No. 24,483

Signature

Date

3 September 2004

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**FEE TRANSMITTAL
for FY 2004 RECEIVED**

Patent fees are subject to annual revision.

OFFICE OF PETITIONERS

TOTAL AMOUNT OF PAYMENT (\$ 595)

2011 SEP -9

AM 10:25

FEE TRANSMITTAL for FY 2004 RECEIVED		Complete If Known	
		Application Number	09/254,333
		Filing Date	March 4, 1999
		First Named Inventor	RUDOLF SCHWARTE
		Examiner Name	Thanh X. Luu
		Group Art Unit	2878
TOTAL AMOUNT OF PAYMENT		(\$) 595	
		Attorney Docket No.	
		1184-6	

METHOD OF PAYMENT (check all that apply)					FEE CALCULATION (continued)																																																																																																																																																																																																				
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account: Deposit Account Number 020460 Deposit Account Name THE MAXHAM FIRM					3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th colspan="2">Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td colspan="2">Surcharge - late filing fee or oath</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td colspan="2">Surcharge - late provisional filing fee or cover sheet.</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td colspan="2">Non-English specification</td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td colspan="2">For filing a request for reexamination</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td colspan="2">Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,843*</td><td colspan="2">Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td colspan="2">Extension for reply within first month</td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td colspan="2">Extension for reply within second month</td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td colspan="2">Extension for reply within third month</td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td colspan="2">Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td colspan="2">Extension for reply within fifth month</td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td colspan="2">Notice of Appeal</td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td colspan="2">Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td colspan="2">Request for oral hearing</td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td colspan="2">Petition to institute a public use proceeding</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td colspan="2">Petition to revive – unavoidable</td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td colspan="2">Petition to revive – unintentional</td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td colspan="2">Utility issue fee (or reissue)</td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td colspan="2">Design issue fee</td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td colspan="2">Plant issue fee</td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td colspan="2">Petitions to the Commissioner</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td colspan="2">Processing fee under 37 CFR 1.17 (q)</td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td colspan="2">Submission of Information Disclosure Stmt</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td colspan="2">Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td colspan="2">Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td colspan="2">For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td colspan="2">Request for Continued Examination (RCE)</td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td colspan="2">Request for expedited examination of a design application</td></tr> <tr> <td colspan="5">Other fee (specify) <u>Correction of Fees Subsequent to Filing</u></td> <td>595</td> </tr> <tr> <td colspan="5">*Reduced by Basic Filing Fee Paid</td> <td>SUBTOTAL (3) (\$ 595)</td> </tr> <tr> <td colspan="5">**or number previously paid, if greater; 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SUBMITTED BY			Complete (if applicable)		
Name (Print/Type)	Lawrence A. Maxham	Registration No. Attorney/Agent)	24,483	Telephone	619-233-9004
Signature				Date	3 September 2004

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